

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN BRUCE SIMON**, on February 9, 1999 at 8:00 A.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Bruce Simon, Chairman (R)
Rep. Bob Pavlovich, Vice Chairman (D)
Rep. Paul Sliter, Vice Chairman (R)
Rep. Joe Barnett (R)
Rep. Rod Bitney (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. David Ewer (D)
Rep. Carol C. Juneau (D)
Rep. Bob Lawson (R)
Rep. Gay Ann Masolo (R)
Rep. Gary Matthews (D)
Rep. Joe McKenney (R)
Rep. Carolyn Squires (D)
Rep. Jay Stovall (R)
Rep. Cliff Trexler (R)
Rep. Carley Tuss (D)

Members Excused: Rep. Billie Krenzler (D)

Members Absent: None.

Staff Present: Stephen Maly, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 353, HB 504, HB 506, HB 493, HB 522, HJR 16,, 2/4/1999
Executive Action: HB 353, HB 522, HB 523, HJR 16, HB 381, HB 493, HB 504

HEARING ON HB 353

Opening Statement by Sponsor: Rep. Tash, HD 34, introduces HB 353. **EXHIBIT**(buh32a01) **EXHIBIT**(buh32a02)
{Tape : 1; Side : A; Approx. Time Counter : 0 - 88}

Proponents' Testimony: Mona Jamison, Montana Historical Society
{Tape : 1; Side : A; Approx. Time Counter : 88 - 111}

Jane Jalinski, MAICO
{Tape : 1; Side : A; Approx. Time Counter : 111 - 121}

Max Weber, Virginia City Alliance, Pres.
{Tape : 1; Side : A; Approx. Time Counter : 121 - 139}

Sharon McCabe, Director of Historical Society
{Tape : 1; Side : A; Approx. Time Counter : 139 - 141}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: Rep. Simon questions witnesses.
{Tape : 1; Side : A; Approx. Time Counter : 141 - 177}

Closing by Sponsor: Rep. Tash closed HB 353.
{Tape : 1; Side : A; Approx. Time Counter : 177 - 187}

HEARING ON HB 504

Opening Statement by Sponsor: Rep. Sliter, HD 76 introduced HB 504.
{Tape : 1; Side : A; Approx. Time Counter : 187 - 202}

Proponents' Testimony: Dean Randash NAPA auto store owner.
{Tape : 1; Side : A; Approx. Time Counter : 202 - 263}

Ed Grogan, Montana Medical Benefits Plan. **EXHIBIT**(buh32a03)
{Tape : 1; Side : A; Approx. Time Counter : 263 - 286}

Al Pontrelli, Montana Assn of Life Underwriters
{Tape : 1; Side : A; Approx. Time Counter : 286 - 300}

Kelly King, small business owner
{Tape : 1; Side : A; Approx. Time Counter : 300 - 320}

Scott Smith, small business owner.

{Tape : 1; Side : A; Approx. Time Counter : 320 - 336}

Riley Johnson, National Federation of Independent Businesses.

{Tape : 1; Side : A; Approx. Time Counter : 336 - 340}

Opponents' Testimony: Claudia Clifford, State Auditor's Office

{Tape : 1; Side : A; Approx. Time Counter : 340 - 448}

Questions from Committee Members and Responses: Rep. Brown, Pavlovich, Bookout and Simon questions witnesses.

{Tape : 1; Side : A; Approx. Time Counter : 448 - 500}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 98}

Closing by Sponsor: Rep. Sliter closed HB 504.

{Tape : 1; Side : B; Approx. Time Counter : 98 - 128}

HEARING ON HB 506

Opening Statement by Sponsor: Rep. Sliter, HD 76 introduced HB 506.

{Tape : 1; Side : B; Approx. Time Counter : 128 - 143}

Proponents' Testimony: Rep. Quillici, HD 36

{Tape : 1; Side : B; Approx. Time Counter : 143 - 161}

Gary Spath, Deputy Auditor, State Auditor's Office.

{Tape : 1; Side : B; Approx. Time Counter : 161 - 175}

Frank Crowley, Collision Repair Specialist

{Tape : 1; Side : B; Approx. Time Counter : 175 - 214}

Rep. Trudy Schmidt, HD 42.

{Tape : 1; Side : B; Approx. Time Counter : 214 - 252}

Jack Gregg, President, Mt. Collision Repairs.

{Tape : 1; Side : B; Approx. Time Counter : 252 - 277}

Truman Strof, Magic City Glass

{Tape : 1; Side : B; Approx. Time Counter : 277 - 292}

Pat Strof, Magic City Glass and Montana Ind. Glass Dealers

{Tape : 1; Side : B; Approx. Time Counter : 292 - 330}

Larry Laser, Billings Glass company

{Tape : 1; Side : B; Approx. Time Counter : 330 - 373}

Donna Fasteneau, Billings Glass Operator, **EXHIBIT**(buh32a04)
{Tape : 1; Side : B; Approx. Time Counter : 373 - 393}

Jacqueline Ayers,
{Tape : 1; Side : B; Approx. Time Counter : 393 - 420}

Jean McDonough, Shelby Glass
{Tape : 1; Side : B; Approx. Time Counter : 420 - 454}

Lucky Siebert, Siebert Glass, Laurel
{Tape : 1; Side : B; Approx. Time Counter : 454 - 478}

Greg Smith
{Tape : 1; Side : B; Approx. Time Counter : 478 - 500}

Robert Matty, glass dealer
{Tape : 2; Side : A; Approx. Time Counter : 0 - 5}

Dean Randash,, NAPA dealer
{Tape : 2; Side : A; Approx. Time Counter : 5 - 12}

Annie Bartos, Department of Commerce, **EXHIBIT**(buh32a05)
{Tape : 2; Side : A; Approx. Time Counter : 12 - 18}

Gary Langford, Great Falls,
{Tape : 2; Side : A; Approx. Time Counter : 18 - 22}

Gary Harris, Billings, MT
{Tape : 2; Side : A; Approx. Time Counter : 22 - 23}

Pat McDonough, Shelby Glass
{Tape : 2; Side : A; Approx. Time Counter : 23 - 30}

Bob Shelte, Butte, MT
{Tape : 2; Side : A; Approx. Time Counter : 30 - 55}

Skip Clevenger, Bitterroot Glass
{Tape : 2; Side : A; Approx. Time Counter : 55 - 62}

Lance Shall's Great Falls, MT
{Tape : 2; Side : A; Approx. Time Counter : 62 - 66}

Randy Lasar, Plentywood dealer.
{Tape : 2; Side : A; Approx. Time Counter : 66 - 68}

Duane Test, Billings, MT
{Tape : 2; Side : A; Approx. Time Counter : 68 - 71}

Jeff Alsburg, Glasgow Dealer

{Tape : 2; Side : A; Approx. Time Counter : 71 - 73}

Kevin Massick, Billings, MT

{Tape : 2; Side : A; Approx. Time Counter : 73 - 76}

Opponents' Testimony: Roger McGlen, Ex. Dir. of National Independent Insurers.

{Tape : 2; Side : A; Approx. Time Counter : 76 - 134}

Greg Van Horrsen, State Farm Insurance

{Tape : 2; Side : A; Approx. Time Counter : 134 - 301}

Jon Metropolis, Farmers Insurance Group.

{Tape : 2; Side : A; Approx. Time Counter : 301 - 388}

Mark Baker, National Assn of Ind. Insurers.

{Tape : 2; Side : A; Approx. Time Counter : 388 - 421}

Jacqueline Lenmark, American Insurance Alliance.

{Tape : 2; Side : A; Approx. Time Counter : 421 - 488}

Questions from Committee Members and Responses: Reps. Simons, Pavlovich, Bookout, Stovall, and Ewer questions witnesses.

{Tape : 2; Side : A; Approx. Time Counter : 488 - 500}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 120}

Closing by Sponsor: Rep. Sliter closed HB 506.

{Tape : 2; Side : B; Approx. Time Counter : 120 - 173}

HEARING ON HB 493

Opening Statement by Sponsor: Rep. Harrington, HD 38, introduced HB 493.

{Tape : 2; Side : B; Approx. Time Counter : 173 - 253}

Proponents' Testimony: Craig Sweet, Mont Prig **EXHIBIT** (buh32a06)

{Tape : 2; Side : B; Approx. Time Counter : 253 - 322}

Opponents' Testimony: Darcy Klien, Collection Bureau Services. **EXHIBIT** (buh32a07)

{Tape : 2; Side : B; Approx. Time Counter : 322 - 500}

Jacqueline Larson, **EXHIBIT** (buh32a09)

{Tape : 3; Side : A; Approx. Time Counter : 0 - 49}

Darrell Mikkellright, Credit Bureau of Kalispell

{Tape : 3; Side : A; Approx. Time Counter : 49 - 52}

Mike DeMarco, Credit Bureau of Montana

{Tape : 3; Side : A; Approx. Time Counter : 52 - 58}

Jeff Koch, Credit Bureau

{Tape : 3; Side : A; Approx. Time Counter : 58 - 82}

Questions from Committee Members and Responses: Reps. Sliter, Brown, Bitney and Pavlovich questions witnesses.

{Tape : 3; Side : A; Approx. Time Counter : 82 - 158}

Closing by Sponsor: Rep. Harrington closed HB 493.

{Tape : 3; Side : A; Approx. Time Counter : 158 - 199}

HEARING ON HB 522

Opening Statement by Sponsor: Rep. Pavlovich, HD 37 introduced HB 522. **EXHIBIT**(buh32a08)

{Tape : 3; Side : A; Approx. Time Counter : 199 - 203}

Proponents' Testimony: Kristi Blazer, Montana Beer and Wine Wholesalers Assn.

{Tape : 3; Side : A; Approx. Time Counter : 203 - 232}

Lee Baerhocker, Dept. of Revenue, Customer Intake

{Tape : 3; Side : A; Approx. Time Counter : 232 - 256}

Mark Taylor, Anhauser Busch

{Tape : 3; Side : A; Approx. Time Counter : 256 - 265}

Opponents' Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: Rep. Pavlovich closed HB 522.

{Tape : 3; Side : A; Approx. Time Counter : 265 - 270}

HEARING ON HB 523

Opening Statement by Sponsor: Rep. McKenney, HD 49 introduced HB 523.

{Tape : 3; Side : A; Approx. Time Counter : 270 - 299}

Proponents' Testimony: Deb Kottel, D A Davidson and Co.

EXHIBIT (buh32a10)

{Tape : 3; Side : A; Approx. Time Counter : 299 - 397}

David Demis, General Counsel for D A Davidson

{Tape : 3; Side : A; Approx. Time Counter : 397 - 433}

Beth O'Halleron, Securities Division of State Auditor's Office.

{Tape : 3; Side : A; Approx. Time Counter : 433 - 498}

Opponents' Testimony: None

Questions from Committee Members and Responses: Rep. Tuss
questions Demis.

{Tape : 3; Side : A; Approx. Time Counter : 498 - 500}

Closing by Sponsor: Rep. McKenney closed HB 523

{Tape : 3; Side : A; Approx. Time Counter : 500 - 512}

HEARING ON HJ 16

Opening Statement by Sponsor: Rep. Ewer, HD 53 introduced HJ16.

{Tape : 3; Side : B; Approx. Time Counter : 0 - 6}

Proponents' Testimony: Darrel Holzer, AFL-CIO **EXHIBIT** (buh32a11)

{Tape : 3; Side : B; Approx. Time Counter : 6 - 20}

Carol Bonner, Cavanaugh Inn, Kalispell, MT

{Tape : 3; Side : B; Approx. Time Counter : 20 - 73}

Pat Clinch, Firefighters Union

{Tape : 3; Side : B; Approx. Time Counter : 73 - 88}

Judy Harman, Kalispell

{Tape : 3; Side : B; Approx. Time Counter : 88 - 123}

Marlene Barge, Kalispell Cavanaugh Outlaw Inn

{Tape : 3; Side : B; Approx. Time Counter : 123 - 157}

Doug Hiefit, Heritage Place Nursing Home.

{Tape : 3; Side : B; Approx. Time Counter : 157 - 194}

Sandy Korier, Operating Engineers

{Tape : 3; Side : B; Approx. Time Counter : 194 - 225}

Scott Hanson, Hotel and Restaurant Employees **EXHIBIT**(buh32a12)
{Tape : 3; Side : B; Approx. Time Counter : 225 - 309}

Rex Kendall, IBEW **EXHIBIT**(buh32a13)
{Tape : 3; Side : B; Approx. Time Counter : 309 - 427}

Fran Marceau, United Transportation Workers member
{Tape : 3; Side : B; Approx. Time Counter : 427 - 450}

Greg Gilcrest, United Transportation Worker member
{Tape : 3; Side : B; Approx. Time Counter : 450 - 462}

Sammy Butler, Montana Nursing Assn
{Tape : 3; Side : B; Approx. Time Counter : 462 - 477}

Opponents' Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: Rep. Ewer closed HJ 16.
{Tape : 3; Side : B; Approx. Time Counter : 477 - 512}

EXECUTIVE ACTION ON HB 353

Motion: REP. BOOKOUT-REINICKE moved that HB 353 DO PASS.
{Tape : 4; Side : A; Approx. Time Counter : 0 - 8}

Motion/Vote: REP. PAVLOVICH moved that HB 353 BE AMENDED. Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 8 - 15}

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 353 DO PASS AS AMENDED. Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 15 - 18}

EXECUTIVE ACTION ON HB 522

Motion/Vote: REP. PAVLOVICH moved that HB 522 DO PASS. Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 18 - 23}

EXECUTIVE ACTION ON HB 523

Motion: REP. MCKENNEY moved that HB 523 DO PASS.
{Tape : 4; Side : A; Approx. Time Counter : 23 - 29}

Motion/Vote: REP. MCKENNEY moved that HB 523 BE AMENDED. Motion carried unanimously.

{Tape : 4; Side : A; Approx. Time Counter : 29 - 32}

Motion/Vote: REP. MCKENNEY moved that HB 523 DO PASS AS AMENDED. Motion carried unanimously.

{Tape : 4; Side : A; Approx. Time Counter : 32 - 40}

EXECUTIVE ACTION ON HJ 16

Motion/Vote: REP. EWER moved that HJ 16 DO PASS. Motion passed 5-12 with Bitney, McKenney, Brown, Sliter, and Trexler voting no.

{Tape : 4; Side : A; Approx. Time Counter : 40 - 80}

EXECUTIVE ACTION ON HB 381

Motion/Vote: REP. STOVALL moved that HB 381 DO PASS. Motion failed 7-11. Rep. Sliter, Bitney, Bookout, Brown, Barnett, Lawson and Stovall voting aye.

{Tape : 4; Side : A; Approx. Time Counter : 148 - 190}

Motion/Vote: REP. EWER moved that HB 381 BE TABLED. Motion carried 11-7 with Barnett, Bitney, Bookout-Reinicke, Brown, Lawson, Sliter, and Stovall voting no.

{Tape : 4; Side : A; Approx. Time Counter : 190 - 210}

EXECUTIVE ACTION ON HB 493

Motion/Vote: REP. PAVLOVICH moved that HB 493 DO PASS. Motion failed 7-11 with Ewer, Juneau, Krenzler, Matthews, Pavlovich, Squires, and Tuss voting aye.

{Tape : 4; Side : A; Approx. Time Counter : 210 - 230}

Motion/Vote: REP. SLITER moved that HB 493 BE TABLED. Motion carried 11-7 with Ewer, Juneau, Krenzler, Matthews, Pavlovich, Squires, and Tuss voting no.

{Tape : 4; Side : A; Approx. Time Counter : 230 - 273}

EXECUTIVE ACTION ON HB 504

Motion/Vote: REP. MASOLO moved that HB 504 DO PASS. Motion carried 17-1 with Tuss voting no.

{Tape : 4; Side : A; Approx. Time Counter : 273 - 290}

ADJOURNMENT

Adjournment: 12:45 A.M.

REP. BRUCE SIMON, Chairman

PATI O'REILLY, Secretary

BS/PO

EXHIBIT (buh32aad)